

United States District Court
Eastern District of California

Ronald Earl Legardy,

Plaintiff,

vs.

D. L. Runnels,

Defendants.

No. Civ. S 04-2714 DFL PAN P

Order

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June 6, 2005, plaintiff filed a notice of dismissal. Since defendants have neither answered the complaint nor moved for summary judgment, the Clerk of the Court is directed to enter plaintiff's dismissal without prejudice. Fed. R. Civ. P. 41(a)(1).

So ordered.

Dated: July 12, 2005.

/s/ Peter A. Nowinski
PETER A. NOWINSKI
Magistrate Judge